App I IX 4

Previous References
32-43 (7dc)

1943 Municipal

File No 85-43
Serial Nos 24 & 31

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for May 1944

SUBJECT

Treating the services of Hasan Jadmon of Melakote Municipality as Pensionable.

D/L the Deputy Commr Mysore Dist to the Comptroller to the Govt of Mysore L.Dis 11368 M 85-43-31 dated 15.5.44 Ordering that the services of the above person can not be treated as pensionable.

22.7
x617

Retrenchment of the services of Head Sardwalt of Melkote Municipality as permissible

24 From the Dy Commr Mandya lr
Letter no A5 1436/43-44 dt 2 2 44

Request in the cr enclosed states that the services of the Ochar peon of the Melkote Municipality whose services were kept ferred to the non permanent post of Sweeper, may be treated as permissible

Flag 'M' On the DC's recommendation in his letter dated 20th Dec 1932 Govt ordered the dispensing of the services of the Ochar peon on Rs 10/- as a measure of retrenchment The method instead of retrenching the appointment outright, retained him in the post, transferred him to the post of Sweeper and continued to make permissive contribution The audit having taken objection to this irregularity, the DC referred the matter to Govt to regularise the action of the municipality and the Govt

Flag 'L' ordered that it was irregular on the part of the municipality to have made the payments contributions and that the amount should be claimed back

2 The DC now states that it is not possible to say how a resolution of the method which was for a temporary retrenchment of the post of the Ochar peon, was recommended to Govt for dispensing with the services of the peon permanently. The present recommendation is to treat the services of the peon who is working as Head Sardwalt as

4957 D

Continuation Sheet | File No / Current No | of | Page

pensionable from the year 1935 36

3) The ochor year before his transfer from the old pensionable to the present non pensionable post had put in a service of 10 years and since then he has put in about 10 years of service more if the financial position of the municipality has is favourable, he may be relaken as ochor year, the intervening long period being condoned as a special case to enable him to earn his pension as his present post does not entitle him to get pension The place of the ochor year is stated to have been kept vacant and the service effected is negligible Forders

MMS 15/2/44

(4) The further remarks of the Comptroller may perhaps be called for in the recommendation now made by the D-C Mangalore with the previous occasion when he was consulted he had expressed his firm disapproval to the effect that the proposal is contrary to standing orders & cannot be accepted

Law dept 15/2/44

8162 16/2/44

CONTROLLER'S OFFICE BAR Dept. 26 Feb 44 SPECIAL SECTION

5) Ans 16 2 44

FLO No 235 Dated 17-2-1944 from forwarded with Compliments to the Comptroller for favour of further remarks in the proposal made by the Mangalore Deputy on the proposal made by D.C. Mangalore with reference to paras 4 & 5 above

Yours

Memorandum

Asst Secy to Govt Law dept 16/2/44

WD 01809—GPB—60 000 —26

Continuation Sheet | File No / Current No | of 4957/1 Page 3

853/Spl 80 & 44

U O No.299/CLAD dated the 27th March 1944.

Returned with Compliments -

6) It is explained that it cannot be ascertained now why a recommendation was made to Government and orders obtained in G O No L 4773-4/M1 15-32-25 dated 20/21-1-33 for the retrenchment of the post of the Octroi peon as a permanent measure The Municipal Council seems to have taken up the question subsequently and from the copy of the Resolution dated 27-11-34, it is seen that it was intended to retrench the post temporarily till the end of 1935-36, by which date it was hoped that the financial condition would improve and that the post of the peon would be revived . But no action was taken to obtain modified orders of Government to this effect and the question was evidently lost sight of though the irregulari of having continued to pay the pensionary contribution on the abolished post was pointed out in successive audits

7) As previously stated in the last para of my U O Note No.467/CLAD dated 15-6-43, the rules do not permit services as sweeper being treated as entitled to pension benefits

M Shamanna
Comptroller

Submitted with a draft calling for Govt Cir 30-3 44 from their Circulars from the D C Mandya &c

The opinion of the Comptroller at paras 6 & 7 will be communicated to the D C Mandya Note is ... that he does recommend the cannot be accepted

Lawley 8/5/44

Transfer of the Reconsiders Inelkote memorials from Personable known- personable service

Continuation Sheet | File No / Current No | of 4 5 57 Page

Recommendations
Cases may be communicated
to the Collectors before recommendations
cannot be accepted etc

9 5 44

Noted 9 5

C I STEP
HOLOGRAPH
Date 9 5 44
N 7891

9 5 44

10 5 44

Submitted with a draft

11/5

TYPI N
12 MAY 44
G=

To the D-c Mandya Dated
Letter No L/11368 d 25-5-44
Makes certain observations and states that
the figures rendered by the Surveyor cannot be
treated as provisional
Copy to Competitor
memo No L11369 d 15-5-44
& the D Mandya
No 1206 d 3-6 44
Returned the enclosures

B
5/6

mr 85-43-24

No 15 1434/43-44
Encl one file

Office of the Deputy Commissioner,
Landi Kotal District,
Dated Landi Kotal 2nd February, 1944

From

Mir Sefdar Hussain, Esq., B.A.
Deputy Commissioner Landi Kotal

To

Rao Bahadur C. Narayanaswamy Naidu Esq., B.A., B.L.,
Peshawar Secretary to Government Law Department Civil

Sir

Subject Transfer of peon of Jellalot Municipality from pensionable to non-pensionable service

Adverting to your letter No. 1216/XI-32-42-13 dated 29-10-43 on the above subject I have the honor to forward herewith the connected papers on the above subject received from the President, Jellalot Municipality and to state as follows -

It is seen from the report of the President to the Deputy Commissioner Khyber District (vide page of the file) that the retrenchment of the octroi peons is to be only for a temporary period as seen from the condition of Government Order No. 4732-4/11-32-25. The intention of the Municipal Council as seen from the resolution of the Municipal Council dated 27-11-34, was to obtain sanction to the retrenchment till the end of August and to continue the octroi post from 1-9-35. They have also stated that the services of the peon may be transferred to pensionable service. It is not possible to say at this distance of time how and when this was done to cover

to retrench the post of the octroi peon permanently while the tenor of the resolution suggests that the retrenchment was made meant to be temporary Besides the savings effected by transfering the octroi peon as Head Jadmali on 9/- had been kept vacant prior to the transfer

The peon has represented that he was not aware of his transfer from pensionable to non-pensionable service and that the reduction in his emoluments, he thought was due to financial stringency He has put in a service of 20 years and it would work as a great hardship on him if for no fault of his he should be deprived of his hardearned pension

The Municipal Council have resolved on 30-8-43 that his services may be treated as pensionable

In the circumstances I once again recommend that the Government may kindly be moved to treat the services of the peon as pensionable as a special case from 35-36 as resolved by the Municipal Council

The connected records may kindly be returned when done with

I have the honor to be
Sir
Your most obedient servant

Deputy Commissioner
Sangya District
absent from Headquarters

JL I/-

Appendix F G—1]

SUBJECT Transfer of peon of the Melicote Municipality from the pensionable to non pensionable Service

Section Ml
File No 85-43
Serial No 31

Diary No of letter replied to

No L 11368

General and Revenue Secretariat

( )

the *194*

To

The Deputy Commr Mandya Dist

Date of issue 15/5

Signed by

Sir,

With reference to your letter No A5, 1434/43-44 D 2-2-1944, on recommending that the services of the peon (now retrenched) be treated as pensionable as a special case, since 1935-36, I am directed to state that it is explained that it cannot be ascertained now why a recommendation was made to Government, and orders obtained in G.O. No L 4773-4/Ml 15-32-25, D 21-1-1933, for the retrenchment of the post of the said peon, as a permanent measure

2) The Municipal Council seems to

List of enclosures

Codied by

Examined by

WD 04161—GPB—60 000—24 10 41

ave taken up the question subsequently
and from a copy of the Resolution D 27-11-34
it is seen that it was intended to
retrench the cost temporarily, till the
end of 1935-36, by which date it was
hoped that the financial condition of the Mcl
would improve and that the cost of the
pension would be restored But no action
was taken to obtain modified orders
of Govt to this effect and the question
was evidently lost sight of, though the
regularity of having continued to pay
the pensionary contribution, on the abolish-
ed post was pointed out by the
Controller in successive audits The reasons as to why no action was taken to above objects are not also stated

3) As already Communicated to you in this office letter
C/2660/Ml 32-42-10, D 29-6-43
rendering this movement
rules do not permit the services as
a teacher (non-pensionable) being treated
is entitled to pension or benefits
4) The rule is however returned

I have the
honour to be
Sir
Your obedient servant
Law Secy

Memo No L/11369 D 15/5
Copy w.c to Controller
for info, with reference to
his No. note No 299/Clad
D 27-3-44

Law Secy to Govt
Law Secy

Pages 1 — 11

75-85 / 75-91

S 1434/43-44 Office of the Deputy Commissioner
Kanara District
Dated, Karwar the 30th May, 1944

From

Mir Safdar Hussain Esq., B.A.,
Deputy Commissioner
Kanara District, Karwar

SECY LAW DEPT

GEN & REV SECRETARIAT
75-85
2 JUNE 1944
L S G BRANCH

To

C. Ananthasayana Naidu Esq., B.A., B.L.
Legal Remembrancer & Secretary to Government
Law Department Bangalore

Sir

With reference to your letter No. I 11566/11 85-43-31 dated 15-5-44 conveying orders of Government re the transfer of peon of the Belkote Municipality from the pensionable to non-pensionable service I have the honor to state that the connected records said to have been enclosed have not been received I request you kindly to send the same early

Enclosed, with a draft returning the enclosure

I have the honor to be,
Sir
Your most obedient servant

Mir Safdar Hussain
Deputy Commissioner,
Kanara District

GEN & I/-CIT

Page 1 —

L 12060 & 3/6/44
W/R/O

To

The D.C. Mandya

Subj - Transfer of the file of the Medical Humanitarian from the pensionable to non pensionable Service

Sir,

With reference to your letter No A5, 434/43-44 d 30-5-1944, I am directed to return herewith the file of records received from you, and referred to us

This ~~[illegible]~~ office letter no L 11368 / Ne-
85-43-31 d 15-5-44

I have h
[illegible] Lans Dewt
[illegible]

Pages 1 — 4